

rejection were stated by the Examiner as follows:

1. Claims 1, 2, 4, 15, 16, 18, 21 and 23-25 were rejected as lacking novelty under 35 U.S.C. §102(e) on the newly cited NEMOTO et al. (6,783,817);
2. Claims 6, 8, 11, 20 and 22 were rejected as obvious under 35 U.S.C. §103(a) over NEMOTO et al. in view of the previously cited VIRATANEN (6,143,064);
3. Claim 5 was rejected as obvious under 35 U.S.C. §103(a) over NEMOTO et al.; and
4. Claims 3, 10 and 17 were rejected as obvious under 35 U.S.C. §103(a) over NEMOTO et al. in view of the newly cited CATON* (5,078,793).

The NEMOTO et al. parent application Serial No. 09/694,371 was filed on October 24, 2000. Although it claimed international convention priority on several earlier Japanese applications under 35 U.S.C. §119, the effective date of NEMOTO et al. under 35 U.S.C. §102(e) is the filing date of that parent application in the United States, i.e. October 24, 2000.

The October 24, 2000 U.S. filing date of NEMOTO et al. is earlier than the February 16, 2001 filing date of the present application. However, the present application has claimed priority under 35 U.S.C. §119 on an earlier filed German application No. 100 07 484.7, filed February 18, 2000, well before the October 24, 2000 U.S. filing date of NEMOTO et al.

In a telephone conference with Examiner Kevin Kruer on April 6, 2005, he confirmed that all that would be necessary to overcome NEMOTO et al. and eliminate it as a reference would be to perfect the claim of international convention priority under 35 U.S.C. §119 by the filing of an

* CATON has been misspelled as CANTON in the Office Action, but correctly spelled in the Form PTO-892 attached to the Office Action.

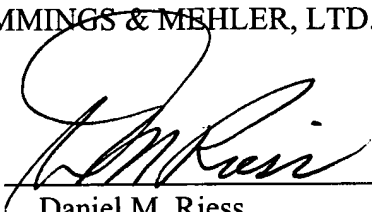
English translation of the German priority application with a cover sheet attesting that the translation was a true and correct translation of the German patent application No. 100 07 484.7. Accordingly, attached hereto is such translation and cover sheet Declaration attesting to the accuracy of the translation.

For the above reasons, it is respectfully submitted that all of the elected claims remaining in the present application, claims 1-6, 8, 10, 11, 15-18 and 20-25, are in condition for allowance. Accordingly, favorable reconsideration and allowance are requested.

Respectfully submitted,

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, LTD.

Dated: 5/13/05

By: 
Daniel M. Riess
Registration No. 24,375

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, LTD.
200 West Adams Street
Suite 2850
Chicago, Illinois 60606
(312) 236-8500